



Attorney Docket No.: 15390-000130

PATENT #24

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re application of:

Bernard Malfroy-Camine

Application No.: 08/973,576

Filed: December 5, 1997

For: TRANSVASCULAR AND
INTRACELLULAR DELIVERY OF
LIPIDIZED PROTEINS

Examiner: R. Schwadron

Group Art Unit: 1644

REQUEST FOR RECONSIDERATION

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicant submits this Request for Reconsideration in response to the Final Office Action mailed November 6, 2000. Applicant requests reconsideration of the application in view of the remarks that follow.

REMARKS

Claims 1-22 and 24 are pending in the above-referenced patent application. Claims 14-22 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 2, 4-12, 24 and 29-33 of copending U.S. Patent Application No. 08/483,944. Claims 1-5, 7-10, 12-22 and 24 are rejected under 35 U.S.C. § 112, first paragraph, as being allegedly non-enabled by the specification as filed.

1. Obviousness-Type Double-Patenting Rejection:

Claims 14-22 are provisionally rejected under the judicially created doctrine of obviousness-type double-patenting as being unpatentable over claims 1, 2, 4-12, 24 and 29-33 of copending U.S. Patent Application No. 08/483,944. The Examiner has indicated that this provisional rejection can be overcome by timely filing a Terminal Disclaimer.